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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/849,280	05/19/2004	Chih-Wei Wang	17778	6631
23389	7590	09/22/2006	EXAMINER	
SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530			VANAMAN, FRANK BENNETT	
			ART UNIT	PAPER NUMBER
			3618	

DATE MAILED: 09/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/849,280	Applicant(s) WANG, CHIH-WEI	
	Examiner Frank Vanaman	Art Unit 3618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-14, 19-24 is/are rejected.
- 7) ☒ Claim(s) 15-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

Status of Application

1. Applicant's amendment, filed July 11, 2006, has been entered in the application. Claims 1-9 have been canceled, claims 10-24 are now pending.

Claim Objections

2. Claim 10 is objected to because of the following informalities: in newly added claim 10, line 5, "and as second groove" should be - -and a second groove- -. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 10, 11, 19, 21 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Hartenstine ^{et al.} (US 7,017,922; filed 3/26/03). Hartenstine teaches a tray device which may be connected to a frame unit (109) of a stroller, the tray device including a tray body (300) having a top covering portion which covers at least a portion of an operating mechanism; the tray having at least a pair of guiders (320, left and right in figure 18), a slider (310) having a first groove (318, proximate 314) which receives one of the guiders, an operating unit (312) having a coupling piece (322) with an enlarged tongue portion, the operating unit further including a second groove (318, proximate 340); which receives the other of the guiders (320); an elastic member (324) having a pair of opposed ends, one connected to the slider, one connected with the tray body (e.g., leftmost element 320); the slider and operating unit arranged to be connected with the frame unit when the operating element is not operated, and configured so as to be pivotable about a connection on the opposed end of the tray (see phantom, figure 1) when the operating unit is operated, to swing to a rotated position, the frame having a neck portion (109, 330) which connects with at least one end of the tray, the frame unit having a tongue-shaped stake (334) and the slider having a hole formed adjacent a rib portion (344) in indirect contact with the enlarged tongue portion of the coupling piece (e.g., through portion 340), wherein the stake and hole are

connected with the frame and tray are connected; the tray having an aperture (see figure 16) wherein a distal head portion (end of 312) of the operating unit protrudes through the aperture.

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 12, 13, 14, 20, 22, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartenstine et al. (cited above). The reference to Hartenstine et al. is discussed above.

As regards claims 12, 20 22 and 24 the reference fails to teach the operating unit and elastic member being provided at each end of the tray, to allow either single one of the operating units to be disengaged, allowing pivoting in one or another direction, or wherein an engagement of both allows removal of the tray. The duplication of parts already taught by the prior art, for the purpose of enhancing or duplicating the effect of a single part/group or parts, is understood to be within the skill of the ordinary practitioner, and as such, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide a latching operating unit/slider assembly already taught by Hartenstine et al. on one end of the tray, one each end of the tray, for the purpose of allowing the tray to be pivoted in one of two directions, facilitating use, for example, by both right- and left-handed users.

As regards claims 13 and 14, the reference fails to teach the stake portions being provided on the slider and the hole portion being provided on the frame unit. The reversal of inter-engaging elements in a connection arrangement is understood to be well within the skill of the ordinary practitioner, and as such, it would have been obvious to one of ordinary skill in the art at the time of the invention to reverse the relative positions of the stake and hole portions of the slider and frame elements taught by Hartenstine et al. (i.e., provide the stake on the slider portion and the hole on the frame portion) for the purpose of simplifying the structure on the stroller frame, so as to

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prevent clothing from being snagged on the stake portions, for example when the stroller is used without the tray.

Allowable Subject Matter

7. Claims 15-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Comments

8. Applicant's comments have been carefully considered. Applicant asserts that Hartenstine et al. fail to teach the slider being slidably connected with the coupling piece, note that Hartenstine et al. teach an arrangement which may additionally be interpreted as having a coupling piece (322) which is slidably connected to the slider(e.g., proximate 318), this interpretation advanced in direct response to applicant's amendment presenting a claim with this limitation. Please note that element 322 is not integrally formed with either portion 310 or 312. Applicant's comments concerning the "completely different type of structure..." are noted, but are not persuasive inasmuch as certain of the claims which define the invention may still be read upon by the reference. The examiner notes that although claims were previously indicated as containing allowable subject matter, applicant has not placed these claims in independent form in direct response to the office action which first indicated allowable subject matter.

Conclusion

9. Applicant's amendment necessitated the modified ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry specifically concerning this communication or earlier communications from the examiner should be directed to F. Vanaman whose telephone number is 571-272-6701.

Any inquiries of a general nature or relating to the status of this application may be made through either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

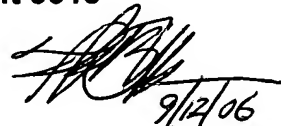
A response to this action should be mailed to:

Mail Stop _____
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450,

Or faxed to:

PTO Central Fax: 571-273-8300

F. VANAMAN
Primary Examiner
Art Unit 3618



9/12/06